

REMARKS

Applicants have carefully reviewed and considered the Office Action mailed on March 20, 2009 and the references cited therein. Applicants have amended the specification to address matters of form. Applicants have also amended claims 1-4 and 6-19. No new matter is added by these amendments. Applicants have canceled claim 5. Applicants have not added any new claims.

Claim Rejections – 35 U.S.C. § 101

In the Office Action, claims 8-19 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, the Office Action states that independent claims 8 and 14 are directed to only software. Without specifically addressing the merits of the rejection, which are not conceded, in order to further prosecution, Applicants have amended claims 8 and 14 to obviate the rejection by reciting “one or more datagram processing devices” and “a computer readable storage medium.” Accordingly, Applicants respectfully request that the rejection of claims 8 and 14 and their respective dependent claims, claims 9-13 and claims 15-19, be withdrawn.

Claim Objections

Also in the Office Action, claims 2-7, 9-13 and 15-19 were objected to for formal matters. Claims 2-4, 6, 7, 9-13 and 15-19 have been amended to address these formal matters. Claim 5 has been canceled. Accordingly, the objection to claims 2-7, 9-13 and 15-19 should be withdrawn.

Claim Rejections – 35 U.S.C. § 112

Further in the Office Action, claim 5 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. As noted above, claim 5 has been canceled. Therefore, the rejection of claim 5 under 35 U.S.C. § 112 is moot and Applicants respectfully request that the rejection be withdrawn.

Claim Rejections – 35 U.S.C. § 102

Further in the Office Action, claims 1, 5, 7, 8, 12, 14 and 18 were rejected under 35 U.S.C. § 102(c), as being allegedly anticipated by U.S. Patent Publication to 2003/0169734 to Lu et al. (hereafter “Lu”). Applicants respectfully traverse this rejection.

It is well settled that in order to establish a showing of anticipation, it must be demonstrated that each and every element of a rejected claim is disclosed or described in a single prior art document. Applicants respectfully submit that Lu does not disclose each and every element of independent claims 1, 8 and 14 and, therefore, cannot anticipate those claims or their dependent claims 7, 12 and 18, which depend, respectively, from claims 1, 8 and 14. Applicants note, as was indicated above, that claim 5 has been canceled. Therefore, the rejection of claim 5 is moot.

Claim 1, as amended, recites:

A method of handling datagrams in a network device coupled to other network devices, the method comprising:
receiving an incoming datagram at a port of the network device;
determining an egress port for the incoming datagram based on a destination address contained in the incoming datagram and a lookup of an address resolution lookup (ARL) table;
performing a lookup of the ARL table based on a source address contained in the incoming datagram to determine whether the source address has been learned previously;
writing an entry into the ARL table when the source address has not been learned previously;
determining whether the other network devices have learned the source address when the source address has been learned previously;
sending, by the network device, a learning message with the source address to the other network devices when it is determined that the other network devices have not learned the source address; and
continuing to relay the learning message from the network device to the other network devices until the learning message is returned to the network device from one of the other network devices.

Claim 1 is directed to a method of handling datagrams in a network device that is coupled to other network devices. The method of claim 1 includes receiving a datagram and a port of the network device and determining an egress port for the incoming datagram. The egress port is determined based on a destination address contained in the incoming datagram and a lookup of an address resolution lookup (ARL) table. The method of claim 1 further includes performing a

lookup of the ARL table based on a source address contained in the incoming datagram to determine whether the source address has been learned previously. If the source address has not been previously learned, the method of claim 1 includes writing an entry into the ARL table.

In the method of claim 1, if the source address has been previously learned, the method includes determining whether the other network devices have learned the source address. The method of claim 1 further includes the network device sending a learning message with the source address to the other network devices when it is determined that the other network devices have not learned the source address. Claim 1 has been amended to recite that the method includes *continuing to relay the learning message from the network device to the other network devices until the learning message is returned to the network device from one of the other network devices*.

An example embodiment of such an approach is described in paragraphs [0035-0036] on page 13 of the application. For instance, as described in paragraph [0036], using such an approach, when a learning message is received at a network device that originated the learning message, this indicates that the address has been learned by all linked devices in a given configuration. Applicants respectfully submit that Lu does not disclose such an approach and, therefore, cannot anticipate claim 1 on at least this basis.

Based on the foregoing, claim 1 is not anticipated by Lu on at least the basis discussed above. Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn.

As noted above, Applicants have canceled claim 5. Therefore, the rejection of claim 5 is moot. Applicants respectfully request that the rejection of claim 5 be withdrawn.

Without addressing the remarks made in the Office Action with respect to claim 7, which are not conceded, Applicants note that claim 7 depends from claim 1 and includes all of its limitations. Therefore, by virtue of its dependence on claim 1, claim 7 is also not anticipated by Lu on at least the same basis as discussed above with regard to claim 1. Applicants respectfully request that the rejection be withdrawn.

Without addressing the remarks made in the Office Action with respect to independent claims 8 and 14 and their respective dependent claims 12 and 18, which are not conceded, Applicants note that claims 8 and 14 are directed to network devices that includes similar limitations as the limitations of claim 1 discussed above. Accordingly, independent claims 8 and

14 are not anticipated by Lu for similar reasons as previously discussed regard to claim 1.

Further, by virtue of their dependence on claims 8 and 14, claims 12 and 18 are also not anticipated by Lu. Applicants respectfully request that the rejection of claims 8, 12, 14 and 18 be withdrawn.

Claim Rejections – 35 U.S.C. § 103

In the Office Action, claims 2-4, 6, 9-11, 13, 15-17 and 19 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Lu in view of U.S. Patent 6,111,874 to Kerstein, U.S. Patent Publication 200/0037006 to Sampath et al. (hereafter “Sampath”), U.S. Patent Publication to Gullicksen et al. (hereafter “Gullicksen”), or U.S. Patent 6,094,434 to Kotzur et al. (hereafter “Kotzur”). Applicants respectfully address this rejection.

In order to establish a *prima facie* showing of obviousness (unpatentability) based on multiple references it must be demonstrated that the prior art, when properly combined, discloses every element of the rejected claims. Without addressing the remarks made in the Office Action with respect to claims 2-4, 6, 9-11, 13, 15-17 and 19, which are not conceded, Applicants note that Kerstein, Sampath, Gullicksen and Kotzur fail to compensate for the deficiencies of Lu described above, and are not cited as such.

Accordingly, Lu in view of Kerstein, Sampath, Gullicksen and/or Kotzur does not render independent claims 1, 8 and 14 obvious because those documents, alone or in combination, fail to disclose every element of the independent claims. Further, by virtue of claim dependency, dependent claims 2-4 and 6, which depend from claim 1, dependent claims 9-11 and 13, which depend from claim 9, and dependent claims 15-17 and 19, which depend from claim 14, are also not obvious over Lu, alone or in combination with Kerstein, Sampath, Gullicksen and/or Kotzur. Accordingly, Applicants respectfully request that the rejection of claims 2-4, 6, 9-11, 13, 15-17 and 19 be withdrawn.

Conclusion

Applicants believe that all the claims now pending in the Application are in condition for allowance and respectfully request notification of such allowance. The Examiner may telephone Applicants' attorney (360-930-3533) to facilitate prosecution of this application.

If necessary, please charge any required fees or credit overpayment to Deposit Account No. 50-3521.

Respectfully submitted,

Brake Hughes Bellerman LLP

Date June 22, 2009

By: /Paul W. Churilla – Reg. No. 47,495/
Paul W. Churilla
Reg. No. 47,495